

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

BOARD OF TRUSTEES, SHEET METAL)	
WORKERS' NATIONAL PENSION)	
FUND, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
v.)	Civil Action No. 1:24-cv-57 (PTG/WEF)
)	
AIR DESIGN SOLUTIONS, INC.,)	
)	
<i>Defendant.</i>)	

ORDER

This matter comes before the Court on the May 29, 2024 Report and Recommendation ("R&R") (Dkt. 15) from Magistrate Judge William E. Fitzpatrick regarding Plaintiff's Motion for Default Judgment (Dkt. 8) against Defendant Air Design Solutions, Inc., pursuant to Federal Rule of Civil Procedure 55(b). The Magistrate Judge advised the parties that objections to the R&R must be filed within fourteen (14) days of service of the R&R and failure to object waives appellate review. Dkt. 15 at 17. To date, no objections have been filed.

After reviewing the record and the Magistrate Judge's R&R, and finding good cause, the Court hereby **APPROVES** and **ADOPTS** the findings and recommendations the Magistrate Judge set forth in the R&R (Dkt. 15). Accordingly, it is hereby

ORDERED that Plaintiff's Motion for Default Judgment (Dkt. 8) is **GRANTED**; it is further

ORDERED that judgement by default as to Count I of the Amended Complaint (Dkt. 5) is entered against Defendant Air Design Solutions, Inc. in Plaintiff's favor; it is further

ORDERED that Defendant is **DIRECTED** to submit to an audit of its payroll records for the time period from July 1, 2017 to December 31, 2022; it is further

ORDERED that Plaintiff serve a copy of this Order on Defendant in accordance with Federal Rule of Civil Procedure 5(b)(2)(A) or Rule 5(b)(2)(B) and Rule 5(b)(2)(C); it is further

ORDERED that in addition to this Order, Plaintiffs must also serve Defendant with a list of records and documents that Defendant must provide in order for Plaintiffs to conduct the audit; it is further

ORDERED that Plaintiffs may only seek records and documents from Defendant necessary to determine whether Defendant fully complied with its obligation to make contributions to Plaintiffs' Funds; it is further

ORDERED that Plaintiffs must effect service within twenty-one (21) days of the date of this Order; it is further


ORDERED that Defendant must comply with the audit request within fourteen (14) days of service of this Order and list of records and documents; it is further

ORDERED that within sixty (60) days of service of this Order and list of required records and documents, Plaintiffs must file either a notice with the Court stating that they are not seeking any additional relief or a motion before the Magistrate Judge stating what additional relief they are requesting as well as the factual and legal basis for the relief they seek; and it is further

ORDERED that Plaintiffs are awarded attorneys' fees in the amount of \$4,231.00 and costs in the amount of \$533.74, which must be paid by Defendant within thirty (30) days of the date of this Order.

The Clerk is directed to enter judgment in favor of Plaintiffs as set forth above, pursuant to Federal Rule of Civil Procedure 55.

Entered this 19th day of July, 2024.
Alexandria, Virginia



Patricia Tolliver Giles
United States District Judge